



or proceeding for, *inter alia*, mistake, excusable neglect, fraud, newly discovered evidence, or “any other reason that justifies relief.” Fed. R. Civ. P. 60(b). “[B]efore a party may seek relief under Rule 60(b), a party first must show timeliness, a meritorious defense, a lack of unfair prejudice to the opposing party, and exceptional circumstances.” *Dowell v. State Farm Fire & Cas. Auto. Ins. Co.*, 993 F.2d 46, 48 (4th Cir. 1993) (internal quotation omitted). “It is a well settled principle of law that a Rule 60(b) motion seeking relief from a final judgment is not a substitute for a timely and proper appeal.” *Id.*

Plaintiff points to no mistake in the record which should be corrected under Rule 60(a), he has not demonstrated any threshold requirement of a motion pursuant Rule 60(b), nor has he demonstrated that any exceptional circumstances exist which would justify reopening this case. Plaintiff’s motion appears largely duplicative of his earlier-filed motions, and the Court can discern no grounds for granting relief. *See* Fed. R. Civ. P. 7(b)(1)(B) (a motion must “state with particularity the grounds for seeking the order”).

#### CONCLUSION

For the foregoing reasons, plaintiff’s motions [DE 37 & 39] are DENIED.

SO ORDERED, this 13 day of February 2024.

  
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TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE